IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11653 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

ANANTKUMAR NARANPRASAD PATEL

Versus

REGIONAL PASSPORT OFFICE

Appearance:

1. Special Civil Application No. 11653 of 2002

MR VIJAY N RAVAL for Petitioner No. 1

MR NJ SHAH FOR DN PATEL Sr. Central Govt. Standing Counsel for Respondent No. 1

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 11/03/2003

ORAL JUDGEMENT

1. Rule. Mr. N.J. Shah for D.N. Pael, learned Sr. Central Govt. Standing Counsel appears and waives service of notice of Rule on behalf of the responent.

2. Heard the learned counsel for the parties. This petition has been filed for a direction to the respondent authority to make necessary correction in the passport with regard to the birth place of the petitioner as "Sinyanga Tanzania" instead of "Bhadran - Kaira"

3. Learned counsel for the petitioner submitted that the petitioner has aleady moved an application before the respondent authority for this purpose, but the same has yet not been decided and the respondent authoriy is saying that they have no power or authority to make any correction in the passport which has already been issued to the petitioner, unless some order in that regard is passed by the court of competent jurisdiction.

4. In the facts and circumstances of the case, this petition is allowed with a direction to the respodnent authoriy to consider the material on record produced by the petitioner and to decide the application filed by the petitioner for this purpose on the basis of the said material within a period of one month from the date of presentation of certified copy of this order. The respondent authority would be at liberty to pass appropriate orders with regard to the costs of these proceedings. Rule made absolute accordingly with no order as to costs.

(Kundan Singh, J.)

/JVSatwara/